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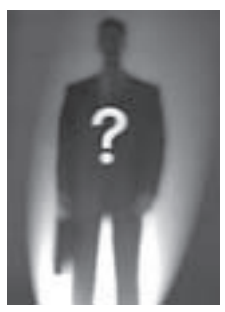
2007 Vol. 56 No. 2

Cleveland-Marshall College of Law

Number of legal jobs decline nationwide

Job prospects for C-M graduates are getting better if you're in the top of your class, but much worse if you're not. *The Gavel* explores this polarization.

CAREER, PAGE 4



Anonymous 1L searches for law-cred

It was called "popularity" in high school. The anonymous 1L discusses various avenues of establishing and losing "law-cred" here at Cleveland-Marshall.

OPINION, PAGE 6

Death Penalty debated

The Gavel political columnists Chuck Northcutt and Alin Rosca debate whether the death penalty is an appropriate punishment for criminals.

POLITICS, PAGE 5

THE GAVEL

VOLUME 56, ISSUE 2 NOVEMBER 2007 THE STUDENT NEWSPAPER AT CLEVELAND-MARSHALL COLLEGE OF LAW

Legal Scholars debate Supreme Court direction

By Paul Deegan
CO-EDITOR-IN-CHIEF

Some of the area's foremost legal scholars of Constitutional law converged in the Moot Court room on Tuesday, September 25, to discuss the direction of the United States Supreme Court. C-M's Chapter of the American Constitution Society ("ACS") co-hosted the U. S. Supreme Court Forum along with the C-M Federalist Society. The President of the ACS, Jason Grimes, opened the event by introducing the Forum's moderator, Prof. James Wilson. On one side of the podium sat C-M's Prof. Stephen Gard and local attorney Mr. David Marburger, while on the other side sat C-M Prof. David Forte and Case Western Reserve University Prof. Jonathan Adler.

Prof. Wilson asked each panelist where, in each of his opinions, he thought the Court was headed in light of the recent appointments of John Roberts and Samuel Alito. Prof. Wilson asked the audience and the panelists, "What is happening in the Court, is it apocalypse now, later, or not at all?"

See Supreme Court page 2

Photo by Shawn Romer

From the left, 2Ls Michelle Todd, Ana Tremaglio, and Hilary Michael enjoy the Annual SBA Halloween Social at Panini's on Friday, Octoboer 26, 2007. The social was an opportunity for students to forget the stresses of law school for one night. Students competed for best costume awards in a number of categories including, scariest, and most scandalous costume.

Students vote for criminal law referendum

Margan Keramati
CO-EDIOTR-IN-CHIEF

During the September SBA elections, C-M students voted on a referendum to determine if the student body supported a new criminal law clinical program. A total of 199 students voted, 193 voted that a criminal law clinic is a good idea. Out of the 193 students, 149 students voted that they would seriously consider participating if a criminal law clinic existed. While the SBA does not have the power to require the school to create any educational programs, the resolution shows student support for a criminal law clinical program, said Anthony Ashhurst, a 2L responsible for urging the SBA to get involved in creating a new program at C-M.

The referendum passage alone is not enough to create a new criminal law clinic at C-M. "For example, the creation of a new clinic will require either new financial

See Criminal Law page 3

July 2007 Bar Results for Ohio's Law Schools

	First Time	Overall
Capital:	89%	81%
CWRU:	83%	79%
CSU:	90%	80%
Ohio Northern:	95%	82%
OSU:	90%	89%
Akron:	85%	78%
Cincinnati:	88%	85%
Dayton:	88%	82%
Toledo:	88%	82%

2Ls competing in 1L classes - Is it fair?

By Patrick O'Keeffe
GAVEL CONTRIBUTOR

Perhaps you are a 1L? Perhaps you are amazed when you hear one of your fellow students ask the professor a succinct question on a finer point of law that you never dreamt of asking.

Did they hide lawyers in the classroom? Ah. No. You turn your head and see that the question came from one of those mysterious 2Ls. "Those people." They linger in their seat, waiting to pounce on a curious legal aspect, then they settle back to tickle their keyboards in silent contemplation.

Some 1Ls have wondered, how does this work? Am I competing with these people? More importantly, are they going to take all of the A's? What's going on here?

Many people assume that there are surely mitigating circumstances that even the odds. No need to worry. They may be right. However, it is nice to know more so that we can all study easy at night.

For this purpose, I have asked Dean Jean Lifter, Emily Honsa, 2L part-timer, and two 1L students for information and opinions regarding the practice of mixing 1Ls and 2Ls in the same classroom.

Why are there 2L's and 1L's in the same class?

According to Dean Lifter, 2L's and 1L's are in the same class because either the 2L's are part-timers or they are switching from 1L part-time to 2L full-time.

Emily Honsa adds that part-timers must make up Civil Procedure and Property requirements that are not fulfilled during their first year. Also, she and a 1L mentioned that students who did poorly in the class the first year sometimes repeat that class in their second year.

Do 2L's have an advantage over 1L's by being in their class?

After a brief, non-scientific poll of student records, Dean Lifter determined that of 9 "students who switched from part-time to full-time after their first year of law school…. 4 students raised their gpa's, 4 students lowered their gpa's and 1 stayed exactly the same." These numbers are based on a survey of 9 part time students who switched to full time the following year. The gpa's compared include end of 1st year against end of Fall semester of 2nd year. This is not a conclusive study.

Honsa did not believe that part-time 2L's had a distinct advantage. "A part time student is limited almost solely by themselves--their job, their family, their external commitments…the2L's who are repeating the class are obviously limited by other classes and their ability to grasp the material."

One 1L thought that this was an advantage because the 2L's have more experience dealing with their classes, but the other 1L thought that there was no relevant distinction.

Are 1L's and 2L's graded together or separately?

According to Dean Lifter, 1L's and 2L's are graded together on the same curve, but they are ranked separately.

Is this a fair practice? Should it be?

While a 1L thought that 2L's probably "ate up all the A's", most respondents agree that this is a fair practice.

All student respondents commented that trying to make things fair, assuming they were not fair already,would not make sense. As a 1L responded when asked if the 1L / 2L mixed class practice should be fair, "Probably not – life is not fair and neither is the practice of law."

THE GAVEL
Law
November 2007

C-M celebrates bar success

By Geoffrey Mearns
THE DEAN'S COLUMN

By now, I trust that you have already heard the great news about the performance of our graduates on the July 2007 Ohio bar exam. Those graduates who were taking the Ohio bar exam for the first time passed at a rate of 90% – a passing rate that tied us for second among the nine Ohio law schools.

These results were so remarkable that *The Plain Dealer* reported them on the front page of the newspaper last week. In order for you to appreciate our progress, you should be aware of some recent history.

When I became the Dean in July 2005, the most important challenge our law school faced was improving the performance of our graduates on the Ohio bar exam. For more than a decade, the percentage of our graduates who passed the exam on the first attempt was less than the passage rates of most of the other Ohio law schools.

Before I was appointed, though, the law school had already developed and begun to implement a comprehensive plan to improve our bar passage rate. The wisdom of this plan is that it requires the participation and commitment of every constituency within our community – our students, our faculty, the law school administration and staff, the library staff, our alumni, and the University administration. When I started, I was optimistic that, with time, this plan would produce positive results.

But the initial results were not encouraging. Indeed, the results for the July 2005 Ohio bar exam were poor. On that exam, our first-time pass rate was the lowest among the nine Ohio law schools.

Last year, however, we saw substantial improvement. Our graduates who took the Ohio bar exam for the first time in July 2006 passed at a rate of 84%. That passage rate, which was the highest passage rate we had attained since the passing score was raised in 1997, tied us for fifth among the nine Ohio law schools. The results for the February 2007 were also very good.

The most recent results, though, are truly remarkable. And those results are significant for two principal reasons.

First, those results demonstrate the importance of developing a long-term solution to a serious problem. Had we simply implemented some "quick fixes," we might have seen some marginally better results sooner. But we would not have achieved the kind of extraordinary results we recently achieved. And we could not reasonably anticipate that our graduates would sustain a high level of achievement.

Second, the July 2007 results demonstrate the importance of a comprehensive, collective commitment – a team effort. Every constituency within the law school – students, faculty, staff, and administration – has assumed responsibility for improving our bar passage rate. And every constituency deserves credit for these results.

The graduates, though, deserve special recognition. They had to make the extraordinary sacrifices to prepare for the exam, and they had to deal with the pressure of taking it.

Last year at this time, I anticipated that our graduates who would take the July 2007 Ohio bar exam would do very well, because they were the first students admitted under the more stringent admissions standards we implemented under the bar passage plan. And I am optimistic that future graduates will excel on the bar exam, because we continue to refine and improve the strategies in our plan.

But we must temper this optimism with a note of caution. While our relative standing among Ohio law schools has improved dramatically, our competitors are not lagging very far behind.

So, we cannot be complacent. You, our students, must continue to work hard. Our faculty must continue to enhance their teaching and testing techniques to improve the learning experience. And the law school and University administration must continue to allocate the necessary resources to sustain a commitment to the bar passage plan.

If we do these things, I am confident that future results will be equally outstanding. And I am confident that our pride in our law school will continue to grow.

Halloween socials cater to students, families

By Katharine Vesoulis
GAVEL CONTRIBUTOR

The SBA hosted its annual Halloween social at Panini's Bar and Grille on October 26. This year the event was co-hosted by Barbri. The event offered free beverages, food, and the general entertainment of seeing your C-M classmates wearing glittery spandex and adult-sized diapers. After surviving my very first midterms as a law student and coming to the realization that my friends and I, in the grand tradition of being boring 1Ls, have become incapable of telling jokes that do not involve trespass to chattel or the elements of battery, this seemed like the perfect way to decompress. When asked what makes this social so popular, SBA president Nick Hanna contends that it is "because it allows everyone to see a side of their fellow students they rarely get to see." Hanna also points out that the "social falls at a good time for students as midterms are finishing up and we're still a couple weeks away from the grind of finals."

The costumes were creative and students clearly put a lot of work and thought into them. Some of my personal favorites included the three blind mice, diaper boy duo, Supreme Court Justice, boy not wearing costume, Jean Grey (prize winner for sexiest costume), showgirls, Abe Lincoln, and the Star Paving girls. With the aid of Indiana Jones (Rick Ferrara), I was able to locate Wolverine, a.k.a. Alex McCready '09, to ask him some questions regarding the grueling preparation he endured to become this venerated icon. He reportedly began preparing for the Halloween social in August by growing out his hair and a rather impressive beard. He informed me that his "girlfriend was okay with his beard and hair because she knew it was for the Halloween Social."

He also claimed to have worked out extensively and used moderate quantities of whey protein to achieve the muscular physique consistent with Wolverine. Unfortunately, he did not win the costume contest, but the experience of transforming himself from a law student into an action hero was in many ways more fulfilling than any material prize.

In addition to the Halloween social, the SBA hosted a Halloween program for children of faculty and students. This event featured an opportunity for kids to wear their Halloween costumes twice this year and to begin collecting candy well before their friends. There were also activities planned for the children, such as pumpkin decorating, costume contests, and various games.

Both socials seemed to be a great success in allowing students, friends, and family to come together to celebrate the beginning of this fall season. The SBA, as usual, did an excellent job rewarding students for their hard work during the week by providing an entertaining atmosphere that allowed students to let loose and show a side of creativity and humor that the socratic ethod would typically hinder. I am happy I got to witness the festivities and look forward to seeing what students come up with next year.

Legal scholars debate U.S. Supreme Court's direction in new term

Continued from page 1

Early in the forum, it became quite clear that the focus was going to center on Justice Kennedy because he is the swing vote on the Court. Popular culture and the media has labeled certain Justices as liberal or conservative, putting Chief Justice Roberts and Justices Scalia, Thomas, and Alito in the conservative camp while Justices Ginsburg, Stevens, Breyer, and Souter are set in the liberal camp. With Kennedy providing the swing vote, the Court could move in either direction depending on his whim.

Popular culture and the media has labeled certain Justices as liberal or conservative. . .

Some have called Kennedy the "moral arbiter of the nation." To explicate that notion, Prof. Adler recognized that, "we don't see the emergence of the Roberts Court, we see the Kennedy Court." To show his reasoning, Prof. Adler remarked that Kennedy only dissented twice within the sixty-eight decisions he participated in last term, an unprecedented event. In his view, the Court is not very conservative, as Kennedy appears to follow some of the liberal Justices. He thinks the conservatives are not winning and are having a small impact, noting that not much has changed in the Court. However, there were a lot of 5-4 cases (1 out of every 3), many along conservative/ liberal lines last term. But, Prof. Adler thinks that the Court will turn left during the next term.

Prof. Forte was not swayed by the conservative/ liberal discussion. In his view, the Court's past decisions were neither conservative nor liberal, and he thought the generalizations placed upon the Justices were incorrect.

Mr. Marburger, a litigation partner at Baker Hostetler who represents the press regarding First Amendment issues, had a more cynical view of the current Court. He thinks the Court is very political, and is a "Court of men, not laws," where the "laws are pretexual" to achieve a certain predetermined result. In addition, Marburger thinks that one can read the Justices through their previous decisions, and he reads their decisions to restrict access to the courts so that fewer people can bring claims in Federal Court.

Prof. Forte thought it was actually a good year for the Court and the United States. Forte spoke on the effect of Chief Justice Roberts turning the Court into what it was meant to be – a Court that is integrated, rather than a Court where each Justice acts mutually exclusive of one another.

On the other hand, Prof. Gard disagreed with Prof. Forte. Gard said that this Court is "not going to serve the Country well." Gard doesn't think there is going to be "cataclsym this term," but he is leery about the way the Court is moving. Gard thinks this Court has a tendency to create new rules that will have a negative impact on the nation. For instance, Gard gave examples that indicated that the Court created rules that take issues away from juries, other rules that are neither based on the Framer's intent nor the actual text of the Constitution, and rules designed to achieve ideological results.

With all the articulate and compelling statements made by the panelists, it is hard for one to gauge where the Court is headed. However, one thing is certain – we will see some very interesting cases decided this upcoming term.

Attention Students

GRADUATION CHALLENGE 2008 STARTS NOW

The class of 2008 Graduation Challenge is a charitable program established to enhance the quality of our law school degrees

In May 2008, our most important asset will be the law degree for which we have worked hard to earn. We must understand that as the reputation of the law school grows, so does the value of our diplomas.

By increasing its financial resources, Cleveland Marshall can best enhance its reputation. The Class of 2008 Graduation Challenge gives each of us the opportunity to invest in the law school and in the value of our degrees.

HOW CAN YOU, THE C-M STUDENT BODY, HELP?

The 2008 Graduation Challenge Committee will be holding a number of events throughout the school year. The committee will also hold table hours in the law school's cafeteria where students will be able to donate to the fund. Pay attention to your e-mails for announcements and information regarding this year's challenge. The committee would like to thank the student body in advance. Let's make this year , the Challenge's most successful fundraiser to date!

CLASS OF 2008 GRADUATION CHALLENGE COMMITTTEE MEMBERS

NICK HANNA
SUSAN HUGHES
KATIE MCFADDEN
SHAWN ROMER
ADAM SAURWEIN
JUD STELTER

2L pushes for creation of criminal law clinic at C-M

Continued from page 1

resources, or the re-allocation of existing resources for a criminal law clinic, it [the referendum] did not give students other options for other classes or more student services, such as additional staffing in the office of career planning," said Dean Geoffrey Mearns.

The Gavel recently spoke with Anthony Ashhurst about his efforts with the referendum:

Who's idea was it to create a criminal law clinic?

C-M actually had a criminal law clinic at one time, but it was discontinued years ago for various reasons. The question of re-instituting a clinic has been raised many times by interested students, faculty and staff over the intervening years. For example, last year an effort at developing an accord between C-M and the University of Akron for reciprocal access to clinics was attempted by Dean Mearns, but this is presently on hold for a number of reasons. But to answer your question about the present effort; since I hope to become a criminal defense attorney I've always wondered why there was no criminal law clinical program at C-M, so this year I made a personal decision to try and do something about it.

When did you start working on the initiative?

I began researching clinical programs and developing several models for use at C-M to present to Dean Mearns back in August, about a week before the first SBA meeting scheduled for Sunday, August 26, 2007. I had arranged a meeting to discuss the subject with the Dean, and decided to speak to the SBA about acting on a resolution I drafted supporting this purpose. I proposed the resolution at the 8/26/07 meeting, but asked that the SBA table voting on it until after a student referendum could be held to determine student support and interest.

Why did you want to start this?

Aside from the fact that I would like to personally participate in such a program, I consider it valuable for several reasons. I thought it would be good for the professional development of students interested in a future practicing criminal law, as well as giving students interested in other fields another clinical option besides those already being offered. I also thought it would enhance the overall image of our College, contributing to the improvement of both our "Tier" status and the prestige of C-M law degrees in the eyes of future employers.

What kind of reaction did you get from faculty/deans?

The faculty reaction has been mixed. While most faculty gave very strong support for a new clinical program, some expressed opposition based upon parochial special interests. (i.e., opposition because they would rather see more funds devoted to expanding their own departments, increasing salaries, or developing other programs; seeing little value in, or need for, an additional law clinic of any kind.) The Deans I have spoken to are tentatively supportive, although concerns were initially raised about whether or not enough students would be available to actually staff a clinic if one were to be established. I think those concerns were answered in the affirmative, when 149 out of 199 students voted they would seriously consider participating if a clinic was available.

Now that it's passed, what's going on?

Thanks to the overwhelming results of the referendum, the SBA voted to pass my resolution on Sunday, October 14, 2007. I had a meeting with Dean Mearns and presented him with the resolution on Monday, October 15, 2007. At that meeting we discussed next steps for the establishment of a clinic, and while nothing was decided, I was invited to attend a meeting of the Criminal Law Advisory Committee at the Union Club on November 13, 2004. This committee is made up of senior representatives from various criminal law organizations, including: both the state and federal Attorney-General's offices; local county prosecutor and public defenders offices, judges, and other interested attorneys. I will be allowed to make a presentation, seek support for one of the test models, and hopefully discuss possible next steps to initiate whichever test model meets with approval.

When could a criminal law clinic be available to students?

A standard clinic, set up for on-site walk-in support at C-M requires dedicated funding from state resources to cover salaries for staff attorneys, clinical directors and support personnel, and will probably not occur for several years. The hope is that after one of the test-models I submit is approved, put into practice, and demonstrates the merit of a fully funded clinical program, then funds will be allocated to establish the standard model at C-M. Perhaps 3 to 5 years after the initial 2008/2009 test model school year. Meanwhile, I believe one of the interim no-cost/low-cost test models that I have submitted can be initiated by Fall 2008, perhaps even as early as Summer 2008. It is also possible that if efforts at developing an accord with the University of Akron for reciprocal use of their criminal law clinic are re-initiated, then we could see a standard model clinical program established sometime in 2009/2010.

THE GAVEL Career

November 2007

Legal markets tighten around the nation - how will C-M students be affected?

By Michelle Todd
Staff Writer

According to a recent Wall Street Journal article, a law degree may no longer be the ticket to wealth and prosperity. The article, published on September 24th of this year, discusses statistical data that seems to indicate that the growth of the legal sector is lagging behind the broader economy while the number of law schools continues to increase. The supply and demand imbalance that this has created has lowered the pay and job growth in the legal market. But, the effect that this has on graduating law students currently entering the job market is mixed. The article notes that a student's ability to find a well-paying legal job hinges primarily on how well- ranked the law school they have attended is in relation to other law schools in the country and whether they themselves rank in the top of their class.

This phenomenon may come as no surprise to most law students. It is a well-known and accepted fact that those students with the highest entrance exam scores go to the highest ranked law schools and generally receive the top jobs. This is further reflected in the grading curve that is used by all law schools. It puts each student in competition with each other in order to develop a ranking system by which most top law firms select the top students.

However, the decline in the legal sector of the job market is not having a negative effect on the top students. Instead, the article finds that top students are actually enjoying better than normal job prospects and increasing salaries. The students who are suffering from this imbalance are those who are not at the top of the class. The article states that many of these students are "struggling to find well-paying jobs to make payments on law-school debts that can exceed $100,000."

Part of the problem can be attributed to a lack of demand. The article finds that "the legal sector, after more than tripling in inflation-adjusted growth between 1970 and 1987, has grown at an average annual inflation-adjusted rate of 1.2% since 1988, or less than half as fast as the broader economy, according to Commerce Department data."

The article further discusses that on the supply end, "more lawyers are now entering the work force, thanks in part to the accreditation of new law schools and an influx of applicants after the dot-com implosion earlier this decade." Some of the statistical data the article cites to support this finding is that in the 2005-2006 academic year, 43,883 Juris Doctor degrees were awarded, while in 2001-02, 37,909 were received. Also, the article notes that since 1995, the number of ABA-accredited schools increased by 11%, to 196. This is due partly because more universities are starting law schools for the prestige they can bring to the institution, but also because they are "money makers." As costs are low compared to other graduate schools, and the classrooms can be large, the article finds that law schools provide an enticing economic benefit to universities.

This supply-demand imbalance is starting to cause a stir among students and law professors around the country who argue that law schools are not being honest with prospective students about this dark side of the job market. The article finds that "most students entering law schools have little way of knowing how tight a job market they might face. The only employment data that many prospective students see comes from school-promoted surveys that provide a far-from-complete portrait of graduate experiences."

Many law schools report relatively high average starting salaries, but fail to inform students of what percentage of graduates reported salaries for the survey. As an example, the article discusses that at Tulane University a median salary of $135,000 was reported to U.S. News and World Report for graduating students. Yet, the school failed to disclose that only 24% of that year's graduating class actually reported what their salaries were, and those who did so were likely at the top of their classes, according to a Tulane official.

When asked how C-M conducts graduating student surveys with respect to starting salaries and employment in general, Jayne Geneva, director of the Office of Career Planning said, "We report everyone's salaries, but if they don't provide the information, then we can't report it. It is no wonder that those making higher salaries are more apt to give us their information."

Geneva acknowledges that although many other law schools use this number as a marketing tool to attract new students, it has never been the practice of the Office of Career Planning at C-M to skew the average starting salary of its graduates. "We report the average number as it works out mathematically…as these numbers don't really speak for themselves, we don't list them on our website for misinterpretation," Geneva said. However, Geneva points out that "this number shares nothing about the law school, the legal market, or what you as a lawyer will make. Depending on what type of law you want to practice and where, your salary will be different from this average number. If people are more interested in practicing in New York or D.C., the number will be higher than if they go to work here."

Ms. Geneva notes that the average salary for the 2006 C-M graduating class was $63,822, but that certain information must be taken into account when considering this figure. "That number is down some from the average the year before…[this is] because we use all the of the salaries that are reported to us and more came in last year than the year before…we also had 5% of the class employed as judicial clerks for 2006 where salaries are particularly low, but the experience is important," Geneva said.

Also, the percentage of 2006 C-M graduates who were employed 9 months out after graduation was 93%. Geneva said that only 5 out of the 219 graduates from 2006 were "unknowns," meaning that they did not respond to e-mails or phone calls from the C-M Office of Career Planning. "Students who are studying full-time for the bar are counted as unemployed, as are the "unknowns." Those graduates who are not seeking jobs, either because they are pregnant, want to take time off to reconnect with family, or for health reasons, etc. are also deemed "unemployed," even though they do not want a job," Geneva said.

For those C-M students who are not in the top of their class, Geneva offers hope in light of the grim employment outlook presented by the Wall Street Journal article. "All of the major firms in town hire our students each year, and most hire several. This track record establishes C-M firmly in the legal community and means that those who desire to stay here are highly regarded-when firms are looking for lateral hires or when meeting C-M alums in litigation situations in court. For many who wish to work in other cities, our new pamphlet was designed to show the breadth of our school's reach across the country and into the various areas of law," Geneva said.

Geneva also offers some helpful advice to C-M students who are engaged in the process of job hunting. "Devote your full energy to finding a job; sometimes looking for a job is like a job in itself," Geneva said. She also adds that networking is an important tool in the job search that many students overlook. "Take advantage of many of the networking events that C-M sponsors. Most of the partners at firms want to meet you face-to-face as opposed to receiving your resume through e-mail, because this gives them the chance to see how well you can interact with potential clients," Geneva said. She added, "they [partners] come from a different generation and expect you to fit into their culture before they will consider hiring you."

Frivolous patents hinder the patent law profession

By Krishna Grandhi
Gavel Contributor

The first patent in the United Sates was granted in 1790. Two hundred and seventeen years, and over seven million patents later, the US patent system is still strong and reaching new heights with every passing year. While there is no doubt that the success of our patent system fuelled the American economic growth and continues to promote advances in sciences and technology, some patents will leave you questioning the strength of the current patent system and its ability to keep fools out - albeit occasionally.

Let's take a look at a couple of patents I came across while browsing Delphion's gallery of obscure patents (delphion.com/gallery). These patents in my opinion should have never seen the light of the day:

US Patent Number 4344424: Anti-eating face mask. Your eyes are not tricking you - an Anti-eating face mask for crying out loud. The inventor claims that her invention is "A face mask for preventing the introduction of substances into the mouth of the wearer…", or to put it in sane-person terms, 'A mask that will stop you from eating food or drinking liquids". Am I hallucinating here? Or is this the dumbest thing I have ever heard in my entire life? I am sure this invention will give the folks at The South Beach Diet® a run for their money.

US Patent Number 5934226: Bird Diaper. Again, this is not a prank. This is a real US patent. Someone had the nerve to sit down and spend hours of their time (and obviously hundreds or perhaps thousands of dollars) only to waste the useful Patent Examiner's time in evaluating a Bird's excretion mechanism. Seriously, give me a break. You might wonder if there is anything in this world that is even dumber. Here is something for you – It actually took 3 people to figure out this amazing invention.

So the point I am trying to make here is that when there are millions of babies around the world (and a sizable number of them here in America) starving out of poverty and malnutrition, a bunch of bright minds had nothing better to do than figure out how not to eat and how to collect the end-products of what birds eat. Call me sentimental, but there is something inherently wrong with this picture.

Well, it is one thing if these inventors are wasting their own time and money, but their inventions have far reaching effects. For example, there are more than 5,000 patent examiners in the United States Patent and Trademark Office (USPTO). This might seem like a big number, but it pales in comparison to the number of patent applications filed each year, which as recently as in fiscal year 2006 hovered just under half a million. And this high discrepancy between the number of patent examiners and patent applications leads to extremely slow patent approval times, currently averaging no less than two years from the time of filing the initial application.

While seemingly foolish patents such as the ones mentioned in this article compete for the patent examiners' time and resources, many more 'real' and valuable patent applications with extremely important human and social benefits molder in the offices of USPTO. If something can be done about this problem, I would imagine the time is now.

In the emerging global markets of the 21st century, little time can be wasted on unproductive and unyielding innovations (from an economic standpoint). We must help build a system that discourages the filing of frivolous patent applications. Certainly, the most immediate results can be achieved through our legislature and courts. Our lawmakers can employ legislative and judicial authority to create policies that will have an impact on what kind of patent applications the USPTO will allow. However, another good place to begin having this discussion is within our own classrooms, where professors can encourage students to start thinking about the practical consequences of taking up frivolous patent cases. Intuitively, I would imagine that 'practice management' - in some shape or form - is incorporated into the curriculum of most law schools, but at the same token it may not be unreasonable to overemphasize to law students the importance of striking a healthy balance between ethics and economics when practicing law in the real world.

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The Political Broadside

Vengeance or Justice? Is the death penalty an appropriate solution?

By Chuck Northcutt
Conservative Gavel Columnist

While capital punishment may not seem pleasant to some, even less pleasant are the brutal acts committed by the murderers to which it applies. None of the arguments against the death penalty can take away from the viciousness of these acts, nor from the pain suffered by the murder victims' families. However, an average of 15,000 murders are committed each year, and only 1,000 people have been executed in the past 30 years. Capital punishment has been reserved for the absolute worst.

First and foremost, the constitutionality of the death penalty is crystal clear. Despite arguments that it is a cruel and unusual punishment under the 8th Amendment, it is actually acknowledged in the 5th Amendment, which says, "No person shall be … deprived of life … without due process of law." Those words seems pretty clear to me, just as they did to Chief Justice Warren when he held, "[w]hatever the arguments may be against capital punishment, … [it] has been employed throughout our history, and in a day when it is still widely accepted, it cannot be said to violate the conceptional concept of cruelty." *Trop v. Dulles*, 356 U.S. 86, 99 (1958).

The Court later rejected the cruel and unusual argument in *Gregg v. Georgia*, 428 U.S. 153, 179 (1976), reasoning that, "it is now evident that a large proportion of American society continues to regard it as an appropriate and necessary criminal sanction." The Court concluded that the death penalty does serve the purposes of retribution and deterrence and that it is not "invariably disproportionate to the crime" of murder. *Id*. at 183-87.

Ultimately, Constitutional law recognizes that it is only human nature for the grief-stricken survivors of the murder victim to demand retribution. Our society must take their loss extremely seriously, even acknowledging their right to demand vengeance. However, as a civilized society, such vengeance can only come from the State, and only after fair due process of law.

Anything less would result in people taking the law into their own hands to seek retribution. Such a scenario can only lead to chaos and anarchy.

The Supreme Court also shot down the argument that capital punishment is racially discriminative. In *McCleskey v. Kemp*, 481 U.S. 279, 297, (1987) the Court held that statistical evidence was clearly insufficient to support an inference of racial discrimination.

In addition to common sense, the recognition of capital punishment's deterrence is largely because the numbers back this premise up. According to Dudley Sharp of Justice For All (JFA), from 1995 to 2000 executions averaged 71 per year, a 21,000 percent increase over the 1966-1980 period.

The murder rate dropped from a high of 10.2 (per 100,000) in 1980 to 5.7 in 1999 -- a 44 percent reduction. Furthermore, the Illinois moratorium on executions in 2000 led to 150 additional homicides over the next four years, according to a 2006 University of Houston study. Finally, each execution deters an average of 18 murders according to a 2003 Emory University nationwide study.

The law says that if you kill someone, instead of life imprisonment where you will have a warm place to sleep and three square meals a day, we will just end your life. Who knew that it would make potential murderers think twice?

Another counterargument to the death penalty is the expense factor. However, this argument is weak, if not false. According to JFA, life without parole costs $1.2 million - $3.6 million more than death penalty cases. Even if this weren't so, I would still find it very insensitive to tell a murder victim's family that "we can't execute the fiend who murdered your loved one, because of a simple matter of economics!"

Justice Scalia said it best in his concurrence in *Callins v. Collins*, 510 U.S. 1141, 1141 (1994): "…. The death-by-injection … looks pretty desirable next to [the murder of a man ripped by a bullet suddenly and unexpectedly, with no opportunity to prepare himself and his affairs, and left to bleed to death on the floor of a tavern]. It looks even better next to … the case of the 11-year-old girl raped by four men and then killed by stuffing her panties down her throat."

With monsters like these out there, how can we ever seriously consider eliminating the death penalty?

By Alin Rosca
Liberal Gavel Columnist

China, Iran, Pakistan, and the United States are very different countries, but they share one common value: they zealously believe in killing criminals and share the shameful distinction of having the highest number of executions in the world, year after year.

That infamous club is certainly one in which progressive countries are hard to find. The fact that ours belongs to it casts a shade on our standing in the community of civilized peoples of the world.

In the United States, 37 states - including Ohio - still feel comfortable killing inmates. The physical repulsion to killing has pushed most of these states to adopt so-called "humane" execution methods, as if there could be anything humane about forcefully taking a human life.

Just as this piece is written, the Supreme Court has halted an execution by lethal injection in Mississippi after having agreed to hear a challenge to Kentucky's lethal injection procedures, which are alleged to cause unnecessary pain. This is yet another testimony to how much we care about the well-being of our criminals – well - before we kill them.

Many of us think that, since those murderers deserve it, they should get the death penalty. Those who detect the logical inconsistency of this rather crude belief, but nevertheless hold it, try to "go scientific" and promote the crime-deterrence argument – which is the equivalent of splashing perfume on a used diaper and hoping that it will make it smell like *Aqua di Gio* by *Armani*.

In every debate, those who advocate the death penalty always manage to come up with gory, image-rich examples of serial murderers, baby killers, sadists and rapists, and the rest of the menagerie of human scum. The strategy of these advocates of gruesomeness is simple: by evoking the savage acts of others, they seek to bring forth a savage response from us. Unfortunately, it works more often than not.

One thing should be clear: this op-ed piece is not about showing mercy to murderers or solving the problem of violent crime. The death penalty debate should not be focused on either criminals or crime. It should be focused on us, the members of a society that allows state-sponsored killing. It is our values that are questioned when we kill murderers, not those of the respective murderers.

Killing or not killing vicious criminals does not have to do with how bad they are; it has to do with how bad we are. Taking their lives does not make a statement about their brutality and savagery; it makes a statement about ours.

We like to think of ourselves as civilized people. Some of us point out we're civilized because we don't kill others without a reason; by this standard, however, the most ferocious predators in the jungle would be deemed civilized because they always kill for a reason, be that food, territory, or a desirable mate.

The measure of our civilization is shown when, faced with the most shocking acts that would prompt inside us the most extreme reactions of outrage and revenge, we find within ourselves the power to control our fury or blood lust. We show that we're civilized not when we don't kill those who are innocent, but when we don't kill those who are guilty.

The irony (or is it hypocrisy) is that some of the staunchest supporters of the death penalty also claim to be followers of a great Man who once advised his disciples to forgive those who trespass against them, love their neighbors, and turn the other cheek. Another "irony" is that some of the states that condone the death penalty claim to be some of the most progressive states in the nation.

When it comes to the death penalty, all our professed kindness, high-mindedness, and progressive thinking tend to disappear. They go down the drain exactly when they should hold: that is, when tested. These executions we continue to allow are tests of our advancement as human beings, which we fail every time. The death penalty itself is a shameful, embarrassing admission of barbarism.

Why should we give up the death penalty? Because each execution casts an indelible stain on our decency. Because it taints our high aspirations by perpetuating inside us those bloodthirsty, savage instincts that once dominated our ancestors. Because it lowers us, as human beings and members of a society that claims to be civilized and aspires to civilize others.

Liberal rebuttal. . .

That a man who has reached the highest position in our justice system feels morally comfortable comparing an act of killing to which he is a moral accomplice with the act of killing that had been committed by his victim, and decides that somehow the gruesomeness of the murderer's act erases the immorality of his own act and makes it "pretty desirable," shows how far we still have to go on the road to civilization and progress.

It also shows how far away that Justice is from the grisly reality of the act he upheld. I wonder how he would feel about being himself the executioner of that murderer. After all, by his own standards, applying the death penalty was the right thing to do.

I wonder how any of the death penalty supporters would feel about themselves killing a human being who was condemned to death. This is exactly what they stand for, so they shouldn't feel uncomfortable doing it, right? But would they?

Would they feel discomfort, repulsion, disgust at grabbing an inmate's arm with their own hand, pressing and squeezing his arm to find a thick vein, and pushing a syringe needle into his vein? Would they feel troubled releasing the poison inside him and watching him die? I bet they would.

I bet an executioner would feel ashamed telling a nice girl he just met at a bar, who's interested in him and asked him what he does for a living, that "I kill inmates." I bet she'd feel repulsion, regardless of her theoretical opinion about the death penalty.

Civilized societies don't let the state kill inmates for them.

Civilized societies don't kill inmates. Killing other human beings, no matter what they did, is repugnant, immoral, and barbaric. We should stop doing it for our sake, not theirs.

Conservative rebuttal. . .

My counterpart's disdain for factual "scientific" data is apparent given the only implication of data he gave is just plain wrong and misleading. With China executing up to 8,000 people in 2006 according to Amnesty International, they are in a league of their own when compared to our 53 executions last year. In fact, China claims 90% of executions that year, while only 1% occurred in Iran, Pakistan, Iraq, Sudan, and the United States combined! Actually, we came in 6th place that year, not 4th. As for Iran, despite having a popultion of 70,472,846 that is much smaller than ours of 302,721,000, their number of executions is over three times ours at 177. There is just no comparison with these countries to our fair administration of due process, which the Constitution dictates. Furthermore, the U.S. is one of 25 nations, which still believes in the effectiveness of capital punishment, not the four that my counterpart would have you believe, which includes Japan, South Korea, Taiwan, and Kuwait.

Despite the separation of Church and State, my counterpart saw fit to bring my faith into this debate, however, according to biblical scholar Dr. Carl F.H. Henry, "A Matter of Life and Death", p 52 Christianity Today, 8/4/95, "Peter, by cutting off Malchu's ear,. . . was most likely trying to kill the soldier (John 18:10)", prompting " . . . Christ's statement that those who kill by the sword are subject to die by the sword (Matthew 26:51-52)." This " implicitly recognizes the government's right to exercise the death penalty." *Id*.

Finally, my counterpart makes little of "scientific" data and "gory, image-rich examples" of murder, such as the rape and murder of that little girl mentioned above, mainly because he knows all to well that both are very real and that his emotional and condescending argument will lose every time, once the average American is presented with this reality.

LETTER TO THE EDITOR

C-M does not value trial advocacy program

C-M is going through a lot of changes- new construction, new professors, record bar passage rates. The school is also making changes about C-M's trial team. The faculty curriculum committee decided not to allow second year trial team members to receive credit for their efforts. Students can choose to participate on the team for two years, but they won't be recognized and can't receive any credit for the hard work they put into the program.

As a result of the committee's decision, the team's coaches resigned. Robert Yallech, a partner at the law firm of Reminger & Reminger, resigned immediately, and Bradley Barmen, an associate at Reminger & Reminger, will resign at the end of the year. One can hardly blame them; every other law school which fields a competitive trial team allows students to receive credit for competing as a 2L and 3L. This makes sense since student advocacy skills improve with each competition, and each passing season. Imagine how competitive our moot court team would be with only 2L advocates. Or imagine a law review publication with only 2L editors. Imagine those programs only receiving two un-graded credit hours. The competitiveness and good reputation of those programs would be all but gone.

If you don't know about the trial team, you're probably not alone. Given the school's budget for the team – zero dollars - it's hard to imagine why anyone would. As a result, the trial team's success has been largely student driven. The trial team allows students to conduct simulated trials against teams from other law schools around the country. Students must write and deliver opening statements, closing arguments, direct and cross examinations, motions in limine, objections, motions for directed verdict, and argue case law. Students practice for fourteen (14) hours a weekend for twelve (12) weekends a year. What other yearlong two-credit course at C-M requires that much work? What other yearlong course only gives two credit hours? What other program costs the school nothing, yet provides students with such an invaluable courtroom experience?

Trial team doesn't exist because of C-M. It never has. Trial team exists because of the team's alumni and Reminger & Reminger's generosity. Without Reminger's support next year, it's likely that C-M will no longer have a team. Reminger has organized, coached, and paid for every trip, hotel room, meal, pen, notepad and copy the trial team students have ever needed. The coaches work for free, volunteering fourteen hours a week for this program. They take time away from their families to help our team succeed.

Without Reminger, what will C-M provide students who are serious about becoming practicing litigators? If the faculty committee's answer is the trial advocacy course, then the committee is misinformed. While the C-M trial advocacy course is extremely valuable, a class cannot achieve the same practical experience that the practices and competitions provide. Advanced brief writing is not like moot court. Scholarly writing is not a substitute for law review.

If the answer is that the school will find new coaches, these writers are doubtful that C-M will be able to find such skilled coaches who are willing to work for free AND fund the program.

The reality is that this school had some of the best litigators in the city as trial team coaches. This school had attorneys who were willing to give up their weekends to educate students. This school had a law firm willing to fund an entire program and promote our law school across the country. This school had a successful program that cost them nothing. Now, whether it be the result of politics, egos, or just plain ignorance, this school is throwing it all away.

What's most troubling about the committee's decision is that the school is actually *making* money off of this program. Again, C-M pays nothing for the program, yet charges each student member for the un-graded credit hours that they earn. This year's team is confused about the faculty committee's decision. No one from the faculty committee came to a single practice or competition over the last seven years to observe what we do and what we put so much time and effort into. But yet, they were able to make this decision comfortably without recognizing the effects on the program.

Make no mistake about it, this would never happen to moot court. This would never happen to law review. Based on the curriculum committee's current decision, future students will get exactly what C-M puts into trial team—nothing.

2007-2008 Trial Team Members: Melissa Aguanno, Adam Davis, Laura Frament, Scott Friedman, Margan Keramati, Ramsey Lama, Anthony Scott, Dave Valent.

What the hell am I doing with my life?

Anonymous 3L

3L
Third year life

The following is the second of a six-part series following the beaten adn broken law student.

I really need to focus on what I'm doing for the rest of my life, or at least what I'm doing after the Bar. This should be a priority in my life right now. It is extremely important that I take the time to update my resume, fill out applications, and collect some recommendations because this is my professional life – my career – the reason I've been working so hard for the past two and a half years. Instead, I'm spending time thinking about the fact that Christmas Ale is back in my life and I can't explain how happy I am about this. Thinking about getting a job makes me feel anxious and insecure. Thinking (or better yet drinking) Christmas Ale makes me feel warm and safe. It's the most wonderful time of the year.

I've had a knot in my stomach since August that I can't seem to shake. I thought that I was supposed to coast through my last year of law school and not acquire a new set of anxieties. Recurring nightmares of loan repayments, failing the Bar after studying for six weeks straight, and living on the street are plaguing me. It also doesn't help that I'm falling dangerously behind in my classes. Thank god I saved up those pass/fail options.

The job interviews are draining and incredibly intimidating. Getting the interview is one stressful process and the interview itself is another. I sit in those interviews and I'm supposed to have crystal clear answers to all of the questions I've constantly been asking myself. One question from one particular interview sticks out: "What was a difficult decision you made and how do you feel about it now?" I have the feeling that I will have a much better answer for that interviewer in May. Or, at least I hope I do.

What will a law degree from Cleveland State do for me? What happens if I want to move? Which state's Bar should I take? Will having Marshall on my resume hold me back? What if I don't want to be a lawyer anymore? These are huge life questions that require time and thought. The following from poet Rainer Maria Rilke helps me at times like these:

Have patience with everything unresolved in your heart and to try to love the questions themselves as if they were locked rooms or books written in a very foreign language. Don't search for the answers, which could not be given to you now, because you would not be able to live them. And the point is to live everything. Live the questions now. Perhaps then, someday far in the future, you will gradually, without even noticing it, live your way into the answer.

Until I can live my way into the answers, you can find me living the questions… and enjoying a few cold Christmas Ales at the same time.

My first-year struggle for "law cred" and acceptance

Anonymous 1L

1L
First year life Part II

The following is the second of a six-part series following the experiences of an anymous first -year student.

Fear of falling between the cracks of a system I do not quite understand manifests in the stressful dreams that now plague my once solid sleeping pattern. What happened to dreams about me hanging out with Joe Pesci on the beach, having a drink, and skipping our cell phones across the water? Everyday, reading, analyzing, and formulating thought patterns I never knew existed, all the while I wish I was somewhere else doing something that requires much less fortitude and diligence, like golfing. I know that if I were to retreat to a life of leisure, I would spend my time wondering if I was capable of anything more than drunken slurs, liver damage, and swinging but missing a small ball with the head of a slightly larger club all the while Joe laughs hysterically at my incompetence.

Perhaps it is not the intensity of the subject matter, nor the seriousness of the environment. It is the never ending self doubt that creeps its way into my befuddled head on a daily basis, making me feel like an imposter. Everyone else seems so sure that they belong here. Their color-coded highlighting and index cards annoy me. Slowly putting the pieces together one at a time, feeling like an awkward infant learning how to ride a bike, I am just beginning to see what looks like a big picture.

Of course there are moments when I sincerely think that this is all one big clerical error on the part of the admissions office. For example, I was recently asked if I knew who John Roberts was. For some reason, unknown to my conscious thinking, the first image that popped into my head was that of a flour-covered baker, which is ridiculous because I am unable to name a single baker after really thinking about baking as a profession. My keen senses told me that this was probably incorrect, so to be safe, I simply replied, "I don't know." Needless to say, I may have lost muster with the individual asking me who the current Chief Justice of the United States Supreme Court was. That was mortifying, and I would have never mentioned it if my given name were attached to this article. I simply wanted to make all the other dispossessed 1Ls feel better about their situation at my expense.

I did not know what I was getting myself into when I applied for law school. Now I not only have to know the names of Supreme Court Justices, I also have to be connected and up to date on current events and be knowledgeable in the way of Latin phrases, geography, witty retorts, and worldly things. I will refer to this new state of being as wanting law-cred (similar in application to street-cred.) Law-cred is not only awarded to those with superior knowledge of the law and the command of an impressive lexicon, it is awarded to those who have learned to act as adults in any given situation. You know who I am talking about. My law-cred depreciates every time I set foot into a bar, as binge drinking and mouthing off to authority are not activities usually engaged in by law students who have amassed a significant stockpile of law-cred.

Another activity that may put my law-cred in the deficit involves me trying to grab what I thought was my Chinese food from an Asian man who I thought was the delivery worker. Any ordinary reasonable person would have checked first to see if this was my Chinese food before grabbing. I quickly learned that this was not a Chinese food delivery person, but a man of Asian decent living in the same building and was carrying a bag filled with groceries. I am now forced to take the stairs for fear of an awkward episode in the elevator.

In the end, I really have no choice but to lie in the bed that I have made for myself and hope that at some point it becomes a Memory Foam Mattress developed by scientists at NASA rather than a 1970s box-spring mattress set from Sears.

I really have no idea what American politics is all about

By Matt Samsa
GAVEL COLUMNIST

Next year, the American public will vote in presidential primaries and a general election. The voting public will begin by narrowing the field of candidates and then ultimately selecting the next executive of our country. The policies the next president chooses to pursue will have a vast impact not only on American society, but also on global politics as well. So who are the voters that decide which candidate wins? What are these voters most concerned with when they cast a ballot? What does this tell us about what elections really mean? Is this the right way to select a leader?

Educational attainment levels of voters provide some interesting insights into who votes and what the votes they cast mean. According to the U.S. Census Bureau, over 65 percent of the Americans that cast votes in the 2004 presidential elections had not received a Bachelor's Degree. Only 11% of voters in that election had received a graduate or professional degree. On the other end of the spectrum, only 7% of voters in the 2004 election failed to receive a high school diploma.

These statistics highlight two disturbing aspects of American electoral politics. First, the voters who elect the president probably cannot thoughtfully dissect presidential policies. Second, the voters who elect the president do not provide an accurate representative sample of the American people.

Without making too broad a generalization, uneducated voters probably cannot cast votes based on complex presidential policies. This is not to say that voters will not cast thoughtful votes, but that voters without a college education have little chance of understanding and evaluating the socio-economic impact of policies pursued by the president. Moreover, many of these voters will not even understand what decisions the president is making. To highlight this, I'd like to point out that before I came to law school, I had no conception whatsoever of FHA policy, the impact of GSEs on the economy and on communities, how SROs function and the import of their regulations, how independent agencies promulgated rules, so on and so forth.

Although today I have some rudimentary understanding of some of these topics, for the most part I still could not intelligently comment on a comprehensive policy regarding any of these issues or innumerable other issues of importance. Assuming (perhaps prematurely) that I graduate in May, when I cast my ballot in the next general election, I will be one of the most highly educated people casting a vote. Furthermore, unlike the doctor or anthropology professor in the next booth, my postgraduate education focused at least in part on some of these policy matters and the mechanisms of our government. If these issues confound the most educated voters, are we selecting our leaders haphazardly?

If voters aren't casting ballots based on the candidates' policies, what are they voting on? While the Iraq War ranks first on nearly every list, reducing a war in which the country is already embroiled to a yes or no, or stay or leave issue seems overly simplistic. Most voters want American troops to leave Iraq, but weighing the candidates' plans to extract the troops seems ambitious to me. Social issues dominate the remainder of the political discourse. Abortion, welfare reform, and the death penalty all appear on many websites listing the upcoming election's crucial issues. Isn't this odd, noting that most American's don't seek abortions, receive AFDC welfare benefits or suffer a crime in their families that could possibly require the death penalty as a punishment for the perpetrator? Aren't these issues all focused on what *other* people *should* be doing, getting or receiving? Is that what is most important to voters?

A variety of other hot button issues evoke strong feelings, but again these complex issues confuse voters. For instance, immigration reform ranks high on hot button issue lists. Certainly, illegal immigration affects the American economy in a variety of ways, both positively and negatively. Is "you're soft on illegal immigration" an acceptable attack on a presidential candidate? Does that capture the complexity of the issue? However, for many voters it appears that is a compelling argument. Likewise, budget cuts and tax cuts are always important issues. But are the hardline stances of lesstaxes or more taxes tenable policy positions? I couldn't tell you, because I don't understand the Internal Revenue Code, or how to make it more equitable and efficient. But I'd wager the issue is much more nuanced.

So again, how do voters decide? It seems to me that they're making arguments regarding what they feel other people should do and whether or not they trust that a particular candidate shares their values. To make those judgments, voters rely on the media to tell them which candidates share their values. Often times, this reliance on the media results in patently absurd political discourse that glosses the complexity of issues in favor of partisan rhetoric. Even in the pages of this fine paper, I've read "liberal" and "conservative" dialogue calculated not to resolve complicated issues, but instead written to incite partisan passions. That type of discourse ignores social problems in favor of appealing to voters on a guttural level. And this comes from the most highly educated voters. Then, the political ads further distort the candidates' backgrounds, voting records, and spoken statements, obscuring important policy discussions.

Is it any wonder why so many Americans are apathetic about politics? Is it any wonder that this apathy translates into our second important statistic – that uneducated voters are underrepresented? Is it the factionalism that the Founding Fathers feared when significant portions of the American public refrain from voting because of a feeling of disenfranchisement?

Perhaps our system is not the most efficient way to pick a qualified leader, but this is how we choose our president. Not that I have any suggestions, but isn't it somewhat disturbing?

Volume 1, Issue 1 November, 2007

Student Bar Association

SPECIAL NEWSLETTER SECTION

CALENDAR OF NOVEMBER EVENTS

SPILO Cav's Tip-off Party Dive Bar 7-10pm	11/2
Journal of Law and Health Lecture by Dr. Vince Markovchick Moot Court Room 5pm	11/8
SBA Senate Meeting 6pm -Open to Student Body-	11/11
WLSA Annual Silent Auction	11/12 & 11/13
The Justinian Forum Night Out in Little Italy Angelo's Nido Italia Ristorante 6:30pm	11/17

LETTER FROM THE PRESIDENT

On behalf of the S.B.A. I would like to welcome and congratulate our newest additions to the Senate.

On September 26th, Nick Costaras, April Dao, Justin Koterba, and Melanie Shwab were elected as 1L Full Time Senators. Additionally, Jennifer Bailey and Laura Kolat were elected as 1L Part Time Senators. Finally, 3L Gregory Gentile was elected as our new Vice President of Programming.

These individuals are excited to serve the student body and I feel very fortunate to have them as new Senate members.

-Nick Hanna, S.B.A. President

THANK YOU

Special thanks to the Editors of The Gavel, Ms. Keramati, Mr. Deegan, and Mr. Romer, for offering this space for the SBA Newsletter.

-The S.B.A. Senate

S.B.A. OUTLINING WORKSHOP DRAWS STAGGERING NUMBERS

Nearly half of all 1L's got a chance to hone their outlining skills at the first annual Outlining Workshop, moderated by S.B.A Treasurer Lydia Arko, and co-hosted by the Student Bar Association and the Academic Excellence Program (A.E.P.).

The theme for the evening was based on Ms. Arko's belief, shared by many at Cleveland-Marshall, that an outline is a means of studying.

"I found that the process of outlining helped me truly understand the material, and that the quality of my outlining really had an affect on my grade," Ms. Arko stated.

Ms. Arko organized the event to give 1L's the tools necessary to get an early start at quality outlining. Although she was unsure what the turnout would be, she found a great deal of student interest - the workshop boasted attendance of over 95 students.

Eight upper-level students, including Chan Carlson, Catherine Donnelly, Jessica Groza, Alex Reich, Alexis Osburn, Ashleigh Elcesser, Candice Musiek, and Jamie Kerlee, graciously volunteered their wisdom and experience, contributing small portions of their outlines as a example for students.

The presenters suggested making flashcards and poster boards, creating hypotheticals, and rewriting outlines and exam answers, all in the pursuit of academic excellence.

Ms. Arko was thrilled with the results of the Workshop, and vowed to continue the effort. "The S.B.A. and A.E.P. look forward to another successful event next year, and would appreciate any recommendations those in attendance could offer," she remarked gleefully.

Please email LArko@law.csuohio.edu with suggestions, or for further information.

-Rick Ferrara, 2L Day Senator

S.B.A. NEWS NOTES

SBA at your service: The vacant food service facility in the ground-level lounge will remain vacant for the near future, but your S.B.A. representatives have started a dialogue with the University in an attempt to change that. We need your input! Send comments and suggestions to Elias Hazkial at EHazkial@law.csuohio.edu.

Need real food? Need a real cup of coffee? Aside from the local eateries that gratefully accept our patronage, the College of Business has a food and beverage stand. In the Spring semester of 2008, the law building will get a similar stand. It will be located on the upper level, near the new classrooms along the "inner-link".

Attention student event organizers: Stay tuned for a list of local establishments authorized to provide outside catering to student organizations. According to University regulations, outside food service may be opted for when your event will require less than $300 in food. Food orders totaling more than $300 must be supplied by campus dining services.

-Elias Hazkial, 2L Day Senator

S.B.A. PROGRAM SUPPORTS THE TROOPS THROUGH THE U.S.O.

The S.B.A. has teamed with the United Services Organization (U.S.O.) in an effort to support our troops serving abroad.

The U.S.O. is a private, non-profit organization whose mission is to support the troops by providing morale, welfare and recreation services to our men and women in uniform.

SBA EVENT OF THE MONTH

The goal of this initiative, created by former S.B.A. Vice President of Programming Rae Lynn Wargo, and S.B.A. Vice President of Budgeting Tony Scott, is to represent Cleveland-Marshall in extending a touch of home to our troops.

3L Day Senator Chuck Northcutt has joined the effort, as well. He and Mr. Scott hope for a successful donation drive not only as S.B.A. officers, but as U.S. Marine Corps veterans.

In the month of November, the S.B.A. will be collecting the following donations of items that the USO will send out to units stationed abroad: toilet paper, oral hygiene products, men and women's personal products, magazines, DVD movies, music CD's, and any kind of food item, especially chocolate. While drop-off locations are yet to be determined, donations can always be made at the S.B.A. office during office hours.

This program does not advocate any S.B.A. position regarding current events, but instead hopes to offer a bipartisan way for the student body, regardless of political view, to show support for the troops who risk their lives every day for our country.

Stay tuned for further information on additional drop off sites. Please contact me with questions or comments at CNorthcutt@law.csuohio.edu.

-Chuck Northcutt, 3L Day Senator
U.S. Marine Corps Veteran

Have an event you want to highlight? Let us know!
Contact: CNorthcutt@law.csuohio.edu

Visit the S.B.A. Website for more information: www.law.csuohio.edu/currentstudents/studentorg/sba/

Editors: Rick Ferrara, 2L Day Senator; Chuck Northcutt, 3L Day Senator